



U.S. Department of Justice

United States Attorney
Southern District of New YorkThe Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

September 10, 2007

By Facsimile

Honorable Denny Chin
 United States District Judge
 United States District Court
 Southern District of New York
 500 Pearl Street
 New York, New York 10007

USDC SDNY
 DOCUMENT
 ELECTRONICALLY FILED
 DOC #:
 DATE FILED: 9/10/07

Re: United States v. Rafael Jimenez and Gilbert Cespedes,
 07 Cr. 843 (DC)

Dear Judge Chin:

The Government writes to respectfully request an exclusion of time under the Speedy Trial Act in this matter, from today until September 26, 2007, the date of the initial pretrial conference scheduled by the Court. The grand jury returned the above-referenced indictment against the defendants last week, and, pursuant to the Court's referral, the defendants will appear in Magistrate's Court on September 14, 2007 for an arraignment in this matter. In addition, the Government is in the process of producing discovery, which will be completed by September 24, 2007. Accordingly, an exclusion of time is in the interests of justice, and it outweighs the public's and the defendants' interests in a speedy trial, as it will allow the Government to produce, and the defendants to begin reviewing, discovery. I have spoken with counsel for both defendants, and both consent to the requested exclusion of time. Thank you for your consideration of these matters.

9/26/07 at 4:30.
 a/b Approved.
 so ORDERED.

Respectfully submitted,

MICHAEL J. GARCIA
 United States Attorney

By:

Jessica A. Masella
 Assistant United States Attorney
 Telephone: (212) 637-2288

cc.: Roy Kulscar, Esq. (By Facsimile at 201.439.1478)
 Counsel for Gilbert Cespedes
 Howard Jacobs, Esq. (By Facsimile at 212.274.0109)
 Counsel for Rafael Jimenez